

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: F. S. Baker

Serial No.:

Filed: December 16, 2003

For: "Catalytic Activated Carbon For Removal Of Chloramines From Water"

Examiner:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION IN SUPPORT OF
PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(c)**

Dear Sir:

I, Terry B. McDaniel, Esq., declare as follows:

(1) I am an attorney-of-record for the applicant in the above-identified application and, having drafted the specification and claims thereof, am fully aware of the nature of the invention thereof and of its significance and, on implementation, of its ability to materially enhance the quality of the environment and prevent health hazards (which is a basis for granting a petition to make special under MPEP 708.02, V).

(2) The application describes a new activated carbon material useful to an improved method for enhanced removal of chloramine from media by contacting said media with the new catalytic activated carbon. The catalytic activated carbons used in the present invention may be prepared from carbon materials that have been contacted or otherwise exposed to nitrogen-containing compounds, preferably ammonia, at temperatures above 700°C.

While chlorination has made the U.S. water supply safe from illness producing bacteria, viruses, and parasites, an unhealthy by-product of chlorinating water that contains natural organics is the production of trihalomethanes, which have been linked to increased risk of cancer. One way to reduce this risk has been to change from chlorine disinfection to chloramine disinfection. Chloramines are formed from the reaction between ammonia and chlorine. Thus, adding ammonia (NH₃) to a chlorination system converts chlorine to chloramines. Specifically, monochloramine, hereafter referred to as "chloramine," in low concentrations arise from the

disinfection of potable water sources. To improve the taste and odor of the water and to remove the inherently toxic chloramine, the water typically is contacted with activated carbon.

The catalytic activated carbon of the present invention is distinguished from prior art carbons by its ability to extract a greater amount of chloramine from drinking water more rapidly. When tested under nearly equivalent conditions of contact time, mean particle diameter, concentration of chloramine, and the like, the catalytic activated carbon removes chloramine much more effectively than prior art carbon materials, which have been used for this application in the past. More particularly, in the invention improvement of employing a block carbon, after treating the carbon it is blended with a binder material and the blend is shaped to a desired form.

It is respectfully submitted that the availability of the invention improvement will enhance the quality of the environment and the petition that is supported by this declaration complies with 37 CFR 1.102(c). In particular, the invention of the instant application will materially enhance the quality of the environment of mankind by contributing to the restoration or maintenance of one of the most basic life-sustaining natural elements, i.e., water.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC § 1001 and that such false statements may jeopardize the validity of this document and the application to which it relates.

Signed at Charleston, South Carolina, this 16th day of December, 2003.



Terry B. McDaniel
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CONTINUATION-IN-PART DECLARATION,
POWER OF ATTORNEY, AND PETITION

As below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my
name;

I verily believe that I am the original and first inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled **Catalytic Activated Carbon For Removal Of Chloramines From Water** described and claimed in the attached specification, that I hereby state that I have reviewed and understand the contents of the specification, including the claims;

That this application in part discloses and claims subject matter disclosed in earlier filed applications entitled "Improved Method For Removal Of Chloramines From Drinking Water," Serial No. 10/141,158, filed May 8, 2002 (now allowed) and Serial No. 10/144,201, Filed May 10, 2002 (now allowed), that, as to the subject matter of this application which is common to said earlier applications, I do not know and do not believe that the same was ever known or used in the United States before my invention or discovery thereof, or patented or described in any printed publication in any country before said invention or discovery thereof for more than one year prior to said earlier application, or in public use or on sale in the United States more than one year prior to said earlier applications; that said common subject matter has not been patented before the date of said earlier applications or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the filing of said earlier applications; and that no application for patent or inventor's certificate on the said common subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except;

PCT (Patent Cooperation Treaty Application No. PCT/US03/14318, filed May 7, 2003).

That, as to the subject matter of this application which is not common to said earlier applications, I do not know and do not believe that the same was ever known or used in the United States before said invention or discovery thereof, or patented or described in any printed publication in any country before said invention or discovery thereof for more than one year prior to this application, or in public use or on sale in the United States for more than one year prior to this application; that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention or discovery has been filed by me or my representatives or assigns in any country foreign to the United States;

That I hereby claim the benefit, under Title 35, United States Code § 120, of U.S. application entitled "Improved Method For Removal Of Chloramines From Drinking Water," Serial No. 10/144,201, filed May 10, 2002, which is a continuation-in-part of U.S. application entitled "Improved Method For Removal Of Chloramines From Drinking Water," Serial No. 10/141,158, filed May 8, 2002, and, insofar as the subject matter of each of the claims of this application is not

disclosed in U.S. applications of "Improved Method For Removal Of Chloramines From Drinking Water," Serial Nos. 10/141,158 and 10/144,201, in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge my duty to disclose information of which I am aware, which is material to patentability as defined in 37, Code of Federal Regulations § 1.56, and which is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, that occurred between the filing date of May 8, 2002 of the earlier U.S. applications entitled "Improved Method For Removal Of Chloramines From Drinking Water," Serial Nos. 10/141,158 and 10/144,201 and the filing date of this application.

And I hereby appoint Customer Number 36876--

Terry B. McDaniel
Registration No. 28,444
MeadWestvaco Corporation
Charleston Technical Center – Law Dept.
P. O. Box 118005
Charleston, SC 29423-8005
(with whom correspondence is to be directed)

and I hereby appoint the registered practitioners associated with Customer Number 36876, and each of them, my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I further recognize and acknowledge that the true party in interest of the invention described and claimed herein is the assignee, MeadWestvaco Corporation;

Wherefore I pray that Letters Patent be granted to me for invention or discovery described and claimed in the specification and claims, and I hereby subscribe my name to the above-identified specification and claims, declaration, power of attorney, and this petition.

I, the undersigned petitioner declare further that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Frederick Stanley Baker

FULL NAME OF SOLE OR FIRST INVENTOR



INVENTOR'S SIGNATURE

12/15/03

DATE

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RESIDENCE

United Kingdom
CITIZENSHIP

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POST OFFICE ADDRESS